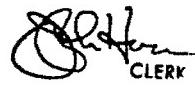


FILED

OCT 07 2011


CLERK

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
SOUTHERN DIVISION

MUELLER PALLETS, LLC, * CIV 09-4016
*
Plaintiff, *

vs. *

VERMEER MANUFACTURING
COMPANY, *

Defendants *

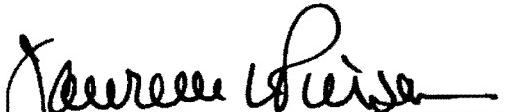
* ORDER OF DISMISSAL
*
*

The Court has been advised that the case has been settled. Accordingly,

IT IS ORDERED that this action is hereby dismissed without costs and with prejudice, each party to pay their own costs. Any party, on good cause shown on or before November 7, 2011, may move to vacate this Order of Dismissal and reopen this action if settlement is not consummated. The Court also retains ancillary jurisdiction to enforce all settlement agreements entered into by the parties and their representatives. *See Harris v. Arkansas State Highway and Transp. Dep't*, 437 F.3d 749 (8th Cir. 2006).

Dated this 7th day of October, 2011.

BY THE COURT:



Lawrence L. Piersol
United States District Judge

ATTEST:

JOSEPH HAAS, CLERK

BY: Colleen Schulte
DEPUTY